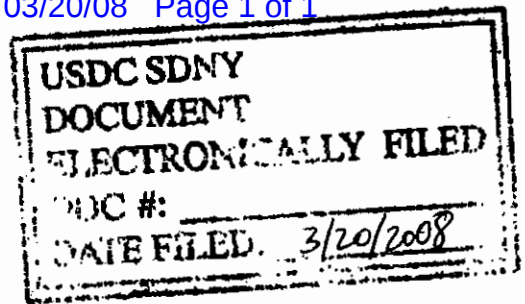


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- -X  
ASPEX EYEWEAR, INC. et ano, :  
Plaintiffs, :  
- against - :  
CLARITI EYEWEAR, INC., :  
Defendant. :  
----- -X

ORDER

07 Civ. 2373 (DC)

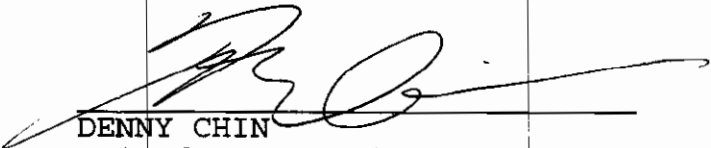
**CHIN, District Judge**

Defendant Clariti Eyewear, Inc. has filed a motion for summary judgment without requesting a premotion conference pursuant to the Court's individual practices. In fact, my law clerk specifically informed defense counsel by telephone that a premotion conference was necessary before filing such a motion, but defendant has nonetheless filed the motion without requesting a conference.

The motion for summary judgment is denied, without prejudice to refiling after a premotion conference has been held. A premotion conference will be held on April 3, 2008, at 10:00 a.m. at 500 Pearl Street, New York, New York 10007, Courtroom 11A.

SO ORDERED.

Dated: New York, New York  
March 20, 2008

  
DENNY CHIN  
United States District Judge